

2013 DRAFTING REQUEST**Bill**

Received: 2/7/2014 Received By: agary
 Wanted: As time permits Same as LRB: -0829
 For: David Murphy (608) 266-7500 By/Representing: Diane Handrick
 May Contact: Drafter: agary
 Subject: Beverages Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Rep.Murphy@legis.wisconsin.gov
 Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Liquor license quotas for restaurants

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 2/7/2014	kfollett 2/7/2014	jfrantze 2/7/2014	_____			
/1			jfrantze 2/7/2014	_____	mbarman 2/7/2014	lparisi 2/7/2014	Local

FE Sent For:

<END>

→ At Intro

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/?	agary	1/15/14 2/7		 2/7			
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FE Sent For:

<END>

Gary, Aaron

From: VerVelde, Rachel
Sent: Friday, February 07, 2014 10:49 AM
To: Gary, Aaron
Cc: Handrick, Diane
Subject: LRB -0829/1 Topic: Liquor license quotas for restaurants

Aaron,

Can you draft a companion for LRB 0829/1 for Representative Murphy?

Thanks,

Rachel A. VerVelde

Chief of Staff - Office of Senator Glenn Grothman
20th Senate District
Rachel.VerVelde@legis.wi.gov
608-266-7513



State of Wisconsin
2013 - 2014 LEGISLATURE

TODAY



LRB-082011-4230/1

ARG:kjf:jm

in
2/7

RMWR

2013 BILL

No changes
Reyn

- 1 AN ACT *to renumber and amend* 125.51 (4) (v) 1.; and *to create* 125.51 (4) (v)
- 2 1. a. of the statutes; **relating to:** municipal quotas for retail intoxicating liquor
- 3 licenses.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the licensed premises and, depending on the type of intoxicating liquor and whether a municipal ordinance has been adopted, may also authorize the retail sale of intoxicating liquor for consumption off the licensed premises, subject to certain limitations. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population. Current law provides quota exceptions for a full-service restaurant that has a seating capacity of 300 or more persons and for a hotel that has 50 or more rooms and has a restaurant or banquet room meeting certain criteria. Current law also provides a quota exception for certain opera houses and theaters, but a "Class B" license issued under this exception authorizes the sale of intoxicating liquor only for consumption on the premises and only in connection with ticketed performances.

This bill modifies the quota exception for most full-service restaurants. The bill provides a quota exception for a full-service restaurant regardless of seating capacity, but creates a definition of "full-service restaurant" for purposes of the bill

BILL

that limits the exception to an establishment where meals are prepared, served, and sold for consumption on the premises and in which the sale of alcohol beverages accounts for 50 percent or less of the establishment's gross receipts. In addition, a "Class B" license issued under this exception authorizes the sale of intoxicating liquor only for consumption on the premises. The bill prohibits a person holding a "Class B" license, other than one issued under this exception, from surrendering that license and applying for a new license under this exception.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 125.51 (4) (v) 1. of the statutes is renumbered 125.51 (4) v. 1. b. and
2 amended to read:

3 125.51 (4) (v) 1. b. A full-service restaurant that has a seating capacity of 300
4 ~~or more persons.~~ Notwithstanding sub. (3) (a) and (b), a "Class B" license issued
5 under this subdivision authorizes the retail sale of intoxicating liquor only for
6 consumption on the premises where sold. If a "Class B" license issued under this
7 subdivision is surrendered to the issuing municipality, revoked, or not renewed, the
8 municipality may not reissue the license to any applicant other than a full-service
9 restaurant. A person that holds a "Class B" license, other than one issued under this
10 subdivision, that is surrendered, revoked, or not renewed may not apply for issuance
11 of a "Class B" license under this subdivision. ✓

12 **SECTION 2.** 125.51 (4) (v) 1. a. of the statutes is created to read:

13 125.51 (4) (v) 1. a. In this subdivision, "full-service restaurant" means an
14 establishment where meals are prepared, served, and sold to transients or the
15 general public for consumption on the premises and in which the sale of alcohol
16 beverages accounts for 50 percent or less of the establishment's gross receipts for the
17 most recent alcohol beverage licensing year.

BILL

1 SECTION 3. Initial applicability.

2 (1) This act first applies to licenses initially issued under section 125.51 (4) (v)
3 1. of the statutes on the effective date of this subsection.

4 SECTION 4. Effective date.

(1) This act takes effect on the first day of the 3rd month beginning after publication.

7 (END)

Because Section 125.51 (4)(v)1. is being amended as 125.51 (1)(v)1.b., the program doesn't know what to do with it and crashes on the Compare program.

This will have to be compared using a copy of the bill & removing this section from the copy. - and/or compare by just reading from statutes.

per Jean F.

02-07-2014

Parisi, Lori

From: Handrick, Diane
Sent: Friday, February 07, 2014 1:25 PM
To: LRB.Legal
Subject: Draft Review: LRB -4230/1 Topic: Liquor license quotas for restaurants

Please Jacket LRB -4230/1 for the ASSEMBLY.